

FILED

2013 AUG 21 PM 2:59
CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
RIVERSIDE

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

September 2012 Grand Jury

UNITED STATES OF AMERICA,

Plaintiff,

v.

DANIEL WAYNE CARMELO,

Defendant.

CR 13-00585

ED CR No. 12

I N D I C T M E N T

[21 U.S.C. §§ 841(a)(1),
(b)(1)(B)(viii): Possess with
Intent to Distribute
Methamphetamine; 18 U.S.C.
§ 924(c)(1)(A)(i): Possession of
a Firearm in Furtherance of a
Drug Trafficking Crime; 18
U.S.C. § 922(g)(1): Felon in
Possession of a Firearm and
Ammunition]

The Grand Jury charges:

COUNT ONE

[21 U.S.C. §§ 841(a)(1), (b)(1)(B)(viii)]

On or about April 9, 2013, in Riverside County, within the
Central District of California, defendant DANIEL WAYNE CARMELO
knowingly and intentionally possessed with intent to distribute
at least five grams, that is, approximately 9.8 grams, of
methamphetamine, a schedule II controlled substance.

COUNT TWO

[18 U.S.C. § 924(c)(1)(A)(i)]

On or about April 9, 2013, in Riverside County, within the Central District of California, defendant DANIEL WAYNE CARMELO knowingly possessed a firearm, namely, an Olympic .38 caliber special revolver, in furtherance of a drug trafficking crime, namely, possession with intent to distribute methamphetamine, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B)(viii), as charged in Count One of this Indictment.

COUNT THREE

[18 U.S.C. § 922(g)(1)]

On or about April 9, 2013, in Riverside County, within the Central District of California, defendant DANIEL WAYNE CARMELO ("CARMELO") knowingly possessed the following firearms and ammunition, in and affecting interstate and foreign commerce:

(1) an Olympic .38 caliber special revolver; (2) one round of Winchester 12 gauge ammunition; (3) 10 rounds of PMC .300 Winchester magnum caliber ammunition; (4) 23 rounds of Federal .45 caliber ammunition; (5) nine rounds of Winchester .45 caliber ammunition; (6) three rounds of PMC .45 caliber ammunition; (7) one round of Remington .45 caliber ammunition; (8) 14 rounds of Winchester .45 caliber ammunition.

Such possession occurred after defendant CARMELO had been convicted of at least one of the following felonies, each punishable by a term of imprisonment exceeding one year:

(1) Vehicle Theft, in violation of California Vehicle Code Section 10851, in the Superior Court of the State of California, County of Riverside, case number RIF078557, on or about January 21, 1998;

(2) Possession of a Controlled Substance, in violation of California Health and Safety Code Section 11377, in the Superior Court of the State of California, County of Riverside, case number RIF084438, on or about January 27, 1999;

(3) Possession of a Controlled Substance for Sale, in violation of California Health and Safety Code Section 11378, in the Superior Court of the State of California, County of

1 Riverside, case number RIF103947, on or about June 12, 2002;

2 (4) Vehicle Theft, Repeat Offender, in violation of
3 California Penal Code Section 666.5, in the Superior Court of the
4 State of California, County of Riverside, case number RIF110937,
5 on or about July 16, 2003;

6 (5) Buy and Receive Stolen Property, in violation of
7 California Penal Code Section 496d(a), in the Superior Court of
8 the State of California, County of Riverside, case number
9 RIF128619, on or about March 7, 2006;

10 (6) Possession of a controlled substance, in violation of
11 California Health and Safety Code Section 11377, in the Superior
12 Court of the State of California, County of Riverside, case
13 number RIF131211, on or about July 19, 2006;

14 (7) Receive Stolen Property, in violation of California
15 Penal Code Section 496(a), in the Superior Court of the State of
16 California, County of Riverside, case number RIF138897, on or
17 about October 5, 2007;

18 (8) Felon Carrying a Loaded Firearm, in violation of
19 California Penal Code Section 12031(a)(2)(e), in the Superior
20 Court of the State of California, County of Riverside, case
21 number RIF10001614, on or about April 8, 2010;

22 (9) Carry a Concealed Dirk or Dagger, in violation of
23 California Penal Code Section 12020(a)(4), in the Superior Court
24 of the State of California, County of Riverside, case number
25 RIF10001614, on or about April 8, 2010;

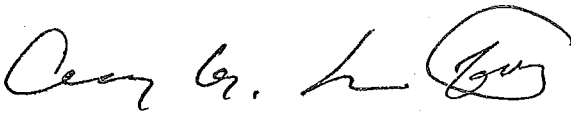
26 (10) Possession of a Controlled Substance for Sale, in
27 violation of California Health and Safety Code Section 11378, in
28

1 the Superior Court of the State of California, County of
2 Riverside, case number RIF1202276, on or about May 3, 2012.

3
4
5 A TRUE BILL

6 15
7 Foreperson

8 ANDRÉ BIROTTE JR.
9 United States Attorney

10 

11 ROBERT E. DUGDALE
12 Assistant United States Attorney
Chief, Criminal Division

13 ANTOINE F. RAPHAEL
14 Assistant United States Attorney
Chief, Riverside Branch Office

15 STEPHEN T. MERRILL
16 Special Assistant United States Attorney
Riverside Branch Office